

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10
11 In re SEQUENOM, INC.
12 STOCKHOLDER LITIGATION

13
14 This Document Relates To:
15 ALL ACTIONS.

Lead Case No. 16-cv-02054-JAH-BLM

CLASS ACTION

ORDER WITHDRAWING MOTION
TO DISMISS AND SETTING BRIEFING
SCHEDULE FOR AMENDED MOTION
TO DISMISS

16
17 On May 27, 2022, the parties appeared for a status conference addressing
18 Defendants' pending motion to dismiss. The Court discussed the status of the
19 pending motion which includes supplemental briefing and numerous notices of
20 recent authority and responses to the notices. Upon further review of the record and
21 considering the policy supporting judicial economy, the Court finds it appropriate to
22 direct the parties to file amended briefs that incorporate all arguments the parties
23 wish the Court to consider in ruling on the motion to dismiss, including those
24 arguments in the original briefs, supplemental briefs and notices of recent authority
25 and responses the parties request the Court review.

26 Accordingly, IT IS HEREBY ORDERED:
27
28

1 1. Defendants' motion to dismiss (Doc. No. 56) is withdrawn without
2 prejudice.

3 2. Defendants shall file an amended motion to dismiss, which is complete
4 in and of itself without reference to the original motion or any previously filed brief,
5 notice or response on the issue, **no later than July 5, 2022.**

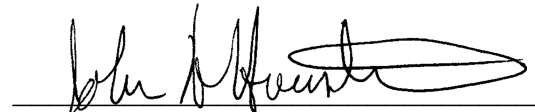
6 3. Plaintiffs shall file their response to the amended motion to dismiss,
7 which is complete in and of itself without reference to the original response or any
8 previously filed brief, notice or response on the issue, **no later than August 2, 2022.**

9 4. Defendants may file a reply **no later than August 16, 2022. *The***
10 ***motion will be deemed under submission at that time without oral argument unless***
11 ***otherwise ordered by the Court.***

12 5. Any previously asserted argument not included in the amended briefs
13 will be considered waived.

14 6. The parties shall not file any supplemental briefs or notices of recent
15 authority without first seeking leave of Court.

16
17 DATED: May 31, 2022

18
19 
20 JOHN A. HOUSTON
21 United States District Judge
22
23
24
25
26
27
28